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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re

BENJA INCORPORATED,

Debtor.

Case No. 20-30819-DM

Chapter 7

**DECLARATION OF JENNIFER C.
HAYES IN SUPPORT OF
REQUEST FOR ENTRY OF
ORDER BY DEFAULT
APPROVING TRUSTEE'S
MOTION TO COMPROMISE OF
CONTROVERSY (MHC
FINANCIAL SERVICES, LLC)**

I, Jennifer C. Hayes, declare as follows:

1. I am a partner at Finestone Hayes LLP, attorneys of record for Kyle Everett in his capacity as the duly appointed Chapter 7 Trustee of the bankruptcy estate of Benja Incorporated (the "Debtor") in the above-captioned case (the "Bankruptcy Case").

2. All statements in this declaration are based on my own personal knowledge and observation, or upon information and belief based upon my review of the court and business records in this case. If called to testify on this matter, I could and would competently testify to the matters set forth in this Declaration.

3. I make this Declaration in support of the concurrently filed Request for Entry of Order by Default. On August 7, 2023, the Trustee caused to be filed his Motion to Approve Compromise of Controversy with MHC Financial Services, LLC (the “Motion”) and the supporting Declaration of Kyle Everett. ECF 170, 170-1. Also, on August 7, 2023, the Trustee caused to be filed the Notice and Opportunity for Hearing (the “Notice”) relating to the Motion. ECF 171. I am informed and believe that the Notice was served on creditors in the Court’s ECF service list on August 7, 2023, and on creditors listed on the Court’s mailing matrix on August 8, 2023. ECF 172, 173. The Trustee caused an Errata to the Motion and a Supplemental Declaration in support of the Motion to be filed and served on August 14, 2023 and August 15, 2023. ECF 174-177. The Errata corrected a math error in the Motion regarding estimated, projected distributions to general unsecured creditors. The Supplemental Declaration provides, in short, that the math error had no effect on the Trustee’s conclusion in his business judgment that the Motion satisfies the *A&C Properties* factors governing Rule 9019 motions in the Ninth Circuit.

4. The Notice indicated that anyone wishing to object to the proposed stipulation was required to do so by filing and serving a written objection no later than 21 days from the date on which the Notice was served. The last day for filing and serving objections was August 29, 2023. I received no objections, and none were filed in the bankruptcy case. I did, however, receive inquiries about the Motion and proposed order from Busey Bank. Accordingly, I have obtained Busey Bank's signature on the order I have uploaded granting the Motion.

I declare under penalty of perjury that the above statements are true and that if called as a witness I could and would testify to their truthfulness. This declaration is executed on August 30, 2023 in Contra Costa County, California.

/s/ Jennifer C. Hayes
Jennifer C. Hayes